

Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet



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John W. Clay
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Honorable Christopher Malish
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Foster Malish Blair & Cowan, L.L.P.
1403 West Sixth Street
Austin, TX 78703

September 25, 2008

RE: Case No. 2005-00455

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Stumbo".

Stephanie Stumbo
Executive Director

SS/tw
Enclosure

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John W. Clay
Commissioner

Honorable Mary K. Keyer
General Counsel/Kentucky
BellSouth Telecommunications, Inc. dba AT&T Kentucky and AT&T Southeast
601 West Chestnut Street, Room 408
Louisville, KY 40203

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Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KY 40202-2828

September 25, 2008

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DPI TELECONNECT, L.L.C.)	
)	
COMPLAINANT)	
V.)	CASE NO. 2005-00455
)	
BELLSOUTH TELECOMMUNICATIONS, INC.)	
D/B/A AT&T KENTUCKY)	
)	
DEFENDANT)	

O R D E R

On September 16, 2008, BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky, Inc. ("AT&T Kentucky") moved the Commission to continue the formal hearing of this case scheduled for October 2, 2008. As grounds for its motion, AT&T Kentucky asserts that, during the past three years, AT&T Kentucky and dPi Teleconnect, L.L.C. ("dPi") have been involved in litigation in several states. That litigation has been overseen by AT&T Kentucky's counsel from Atlanta, J. Phillip Carver. AT&T Kentucky states that Mr. Carver is retiring effective September 30, 2008, and that new counsel will need time to address the issues of this case. dPi does not oppose this motion.

We find that good cause exists to grant AT&T Kentucky's motion and to continue the October 2, 2008 hearing. A formal hearing will be rescheduled by future Order of the Commission.

IT IS THEREFORE ORDERED that:

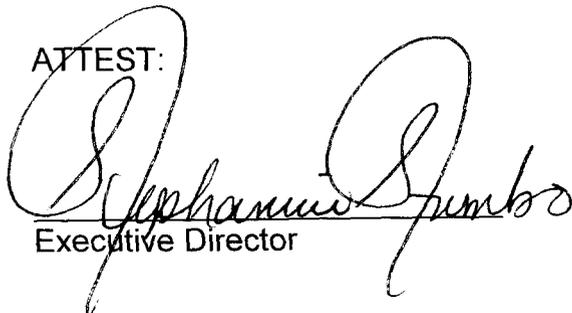
1. AT&T Kentucky's motion is granted.
2. The October 2, 2008 hearing is continued generally.

Done at Frankfort, Kentucky, this 25th day of September, 2008.

By the Commission

Chairman Armstrong Abstains.

ATTEST:


Executive Director

Case No. 2005-00455